

REMARKS

Applicant respectfully requests reconsideration of this application, as amended herein. Claims 6-11 were pending in the application. In this amendment, Claims 6, 9, and 11 have been amended; and new Claims 12-22 have been added. Therefore, Claims 6-22 are pending in the application.

As a preliminary matter, Applicant submits herewith a substitute specification that includes all the disclosure from the provisional application on which this application claims priority. While all the information is already incorporated by reference, the substitute specification will make enablement of the invention easier. No new matter has been added. Should the Examiner have any question concerning this substitute specification, please contact the undersigned counsel for Applicant.

The Rejections under 35 U.S.C. § 112

The Examiner rejected Claim 11 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant has amended Claim 11 to claim the subject matter more distinctly, and respectfully requests that the rejection under 35 U.S.C. 112 be withdrawn.

The Rejections under 35 U.S.C. § 102

The Examiner rejected Claims 6-8 under 35 U.S.C. 102(b) as being anticipated by Bain et al. (U.S. PGPub 20010034768). Applicant respectfully traverses the rejection.

Applicant actually conceived the invention well before the effective date of the Bain et al. reference and diligently worked to reduce the invention to practice. Applicant submits herewith a declaration under 37 C.F.R. §1.131, with evidence that outlines the business plan and disclose the technical features associated with the use of license plate information as an electronic address

for email, instant messaging, and other radio or cellular communication. The evidence shows that the invention claimed in the instant application was conceived before the reference date of the Bain et al. reference and diligently reduced to practice. Accordingly, Applicant suggests that Bain et al. does not qualify as a valid reference under any section of 35 U.S.C. 102. Applicant respectfully requests that the Bain et al. reference be disqualified.

As there is no valid reference that anticipates Claims 6-8, Applicant respectfully requests that the rejection under 35 U.S.C. 102(b) be withdrawn.

The Rejections under 35 U.S.C. § 103

The Examiner has rejected Claims 9 and 10 under 35 U.S.C. 103(a) as being unpatentable over Bain et al. (U.S. PGPub 20010034768) in view of Himmelstein (U.S. PGPub 20040162064). Applicant respectfully traverses the rejections.

The Examiner combines Bain et al. with Himmelstein merely for its disclosure of a cellular phone. Since, as described above, the Bain et al. reference should be disqualified; there is no teaching to modify as described by the Himmelstein publication. Accordingly, Applicant respectfully requests that the rejection under 35 U.S.C. 103 be withdrawn.

New Claims

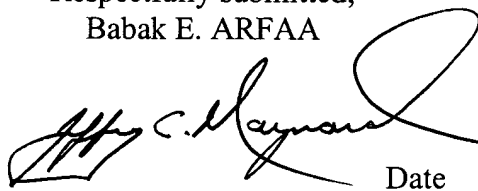
Applicant has added new Claims 12-22, in order to elicit additional features of Applicant's invention. Such new claims are directed to a method of providing communication to an electronic account. It is believed such claims are also allowable.

CONCLUSION

Applicant has made a diligent effort to address the objections and rejections identified by the Examiner, and respectfully submits that the outstanding objections and rejections in the Office Action have been overcome. In view of the above amendments and remarks, all pending

claims are believed to be patentable, and thus, the case is in condition for allowance. Accordingly, a Notice of Allowability is respectfully requested at the Examiner's earliest convenience. In the event that there is any question concerning this response, or the application in general, Applicant respectfully requests that the Examiner contact Applicant's attorney at the telephone number listed below so that additional changes may be discussed.

Respectfully submitted,
Babak E. ARFAA

 5/7/08
Date _____

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